

Notice of Allowability

Application No.

09/384,073

Examiner

Steven P Sax

Applicant(s)

ISHISAKI, WATARU

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/30/04.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☒ The drawings filed on 26 August 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Reasons For Allowance

1. This application has been examined.

2. The following is an examiner's statement of reasons for allowance: The claims, in view of applicant's remarks, distinguish over the prior art of record. Invention is a novel graphical user interface system and medium for displaying a menu from a set of menus based on a predefined manipulation of an input device, which selects and displays a single menu from a plurality of menus at a same location as a cursor on the display screen based on either the number of actuations of a monitored input device in a predetermined time interval or a duration time of an actuation of the same input device, for the cursor located at a single location on the display. The prior art shows windowing systems which display menus based on input device actuation. In particular, Gourdol et al come close in that they do in fact display a menu at the location of the cursor when the input device is actuated. However, in Gourdol et al, one contextual menu is selected and displayed, with further commands being able to be customized into the one appearing contextual menu; whereas in the present invention different menus are selected and displayed based on multiple consecutive actuations of the input device in a predetermined time interval or the duration of an actuation of the same input device. Furthermore, it would not be obvious to combine the Gourdol et al reference with some other reference to attempt to bring in this feature, because Gourdol et al

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teach away from multiple menus, and in fact teach the one contextual menu which is customizable to avoid having to use multiple menus.

Also, with regard to claim 4 of the present invention (which is recited differently to bring out the technique of first displaying the menu at the location of the cursor in response to the first actuation of the input device, and then positioning the cursor on a selected region of the predetermined number of regions of the menu based on the number of consecutive actuations or duration time of actuation) note that this claim specifically recites that each region is predefined and corresponds to a group of a plurality of menu elements, thus distinguishing over merely moving to the next menu element or item. The prior art, including Gourdol et al, simply does not teach this technique.

Thus, the claims of the present invention are not set forth in the prior art of record.

Independent claims: 1 amended – the graphical user interface as described. 2 amended – the graphical user interface as claim 1 amended, which describes the technique using the language of the event alert. 4 amended – the graphical user interface which brings out the technique of first displaying the menu at the location of the cursor in response to the first actuation of the input device, and then positioning the cursor on a selected region of the predetermined number of regions of the menu based on the number of consecutive actuations or duration time of actuation. 7 amended – the system like claim 2 amended. 10 amended – the computer readable medium like claim 2 amended.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

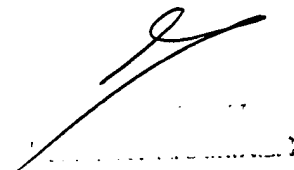
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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P Sax whose telephone number is (571) 272-4072. The examiner can normally be reached on Monday thru Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, consisting of a stylized 'S' followed by a horizontal line.